

PARTIES LISTED ON SIGNATURE PAGE

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION**

TECHNOLOGY PROPERTIES LIMITED	)	Case Number: C 14-03640-CW
LLC and MCM PORTFOLIO LLC,)	
	)	JOINT STIPULATION AND
Plaintiffs,	)	[PROPOSED] ORDER REGARDING ITC
	)	DEPOSITIONS
vs.)	
	)	Judge: Hon. Claudia Wilken
CANON, INC., et al.,)	
)	
Defendants.)	

TECHNOLOGY PROPERTIES LIMITED	)	Case Number: C 14-03643-CW
LLC and MCM PORTFOLIO LLC,)	
	)	JOINT STIPULATION AND
Plaintiffs,	)	[PROPOSED] ORDER REGARDING ITC
	)	DEPOSITIONS
vs.)	
	)	Judge: Hon. Claudia Wilken
HEWLETT-PACKARD COMPANY,)	
)	
Defendant.)	

STATEMENT OF RELIEF SOUGHT

Plaintiffs Technology Properties Limited, LLC (“TPL”) and MCM Portfolio LLC (“MCM”) (collectively “Plaintiffs”) and Defendants Canon Inc., Canon USA, Inc., and Hewlett-Packard Company (collectively “Defendants”) file this Joint Stipulation Regarding depositions from the previous ITC Investigation (Investigation No. 337-TA-841).

BACKGROUND

The parties took a number of fact depositions in a previous litigation before the International Trade Commission (ITC Investigation No. 337-TA-841) (“the ITC 841

Investigation”) that involved the same patents at issue in the present litigation. In the interest of avoiding duplicative discovery and the unnecessary expenditure of resources, Plaintiffs and Defendants agree and stipulate as follows:

1. All party and third-party fact depositions taken in the ITC 841 Investigation shall be deemed to have been taken in this litigation for purposes of Federal Rule of Civil Procedure 32(a)(8) and thus may be used to the extent otherwise permitted by the Federal Rules of Civil Procedure and the Federal Rules of Evidence. For the avoidance of doubt, no party will object to the use in this litigation of a party or third-party fact deposition from the ITC 841 Investigation on the grounds that its use is not permitted by Federal Rule of Civil Procedure 32(a)(8).

2. No party will object to the use in this litigation of a party or third-party fact deposition from the ITC 841 Investigation on the grounds that its use is not permitted by Federal Rule of Civil Procedure 32(a)(1)(A).

3. Other than agreeing not to object to the use in this litigation of any party or third-party fact deposition taken in the ITC 841 Investigation based upon Federal Rule of Civil Procedure 32(a)(8) or 32(a)(1)(A), the use of all depositions in this litigation – including party and third-party fact depositions taken in the ITC 841 Investigation – will be governed by, and subject to, the Federal Rules of Civil Procedure and the Federal Rules of Evidence. For the avoidance of doubt, a party may object to the use of any deposition in this litigation – including party and third-party fact depositions taken in the ITC 841 Investigation – under any Federal Rule of Civil Procedure or Federal Rule of Evidence other than FRCP Rule 32(a)(1)(A) or 32(a)(8).

STIPULATED REQUEST

The parties respectfully request that the Court grant this Joint Stipulation Regarding ITC Depositions.

PURSUANT TO STIPULATION, IT IS SO ORDERED

Date: April 13, 2016



Hon. Judge Claudia Wilken
United States District Judge

Dated: April 11, 2016

Respectfully submitted,

/s/David M. Maiorana

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In accordance with Civil Local Rule 5-1(i)(3), the above signatory attests that
concurrence in the filing of this document has been obtained from the signatory below.

1 Dated: April 11, 2016

/s/Benjamin R. Askew (with consent) _____

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